

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/463,209	BERGHOF ET AL.	
	Examiner	Art Unit	
	Juliet C. Switzer	1634	

All Participants:

(1) Juliet C. Switzer.

(2) Michelle Iwamoto.

Status of Application: amended

(3) _____.

(4) _____.

Date of Interview: 18 January 2005

Time: morning

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:
 82-94

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner suggested amendments to place the claims in condition for allowance. The examiner suggested amending claim 82 to require "said nucleic acid molecule consists of at least 15 successive nucleotides of SEQ ID NO: 1, wherein said nucleic acid molecule comprises nucleotides 64-73 of SEQ ID NO: 1, 110-121 of SEQ ID NO: 1, or 127-156 of SEQ ID NO: 1, or the sequence complementary to said nucleic acid molecule." The amendment for claim 82 has basis at least on pages 14-15, especially where p. 15 discusses these regions of SEQ ID NO: 1 as being highly conserved in *S. aureus* relative to other *Staphylococcus* species. This amendment would overcome a 102 rejection based on Brennan who teaches all possible 10mer oligonucleotides on a microarray. Further, the examiner suggested canceling claim 84 and amending claim 94 to change "having" to "consisting of." Michelle Iwamoto, in a return phone call on 21 January 2005 indicated that applicant did not approve the amendments to the claims. It was agreed that a final office action would be mailed.